



DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
477 MICHIGAN AVENUE
DETROIT MI 48226-2550

April 13, 2012

REPLY TO
ATTENTION OF:

Engineering & Technical Services
Regulatory Office
Permit No. LRE-2010-00098-252-A12

Jim Iwanicki
Marquette County Road Commission
1610 North Second Street
Ishpeming, Michigan 49849

Dear Mr. Iwanicki:

We received your letter dated April 5, 2012, regarding recent comments the Detroit District, Corps of Engineers (Corps) submitted to the U.S. Environmental Protection Agency (EPA). The Corps prepared its March 29, 2012, letter to EPA commenting on the Marquette County Road Commission's (MCRC) permit application to the Michigan Department of Environmental Quality (MDEQ) for proposed construction of County Road 595.

The proposed project is located in an area where the Corps' regulatory responsibility under Section 404 of the Clean Water Act (Section 404) has been transferred to the MDEQ since 1984. For certain proposed discharge activities in these areas, the EPA reviews permit applications received by the MDEQ. These activities include major discharges which would affect one or more acres of wetland. The Corps and the U.S. Fish and Wildlife Service are federal agencies which support EPA during its review. The responsibilities are outlined in Section 404(j) of the Clean Water Act and a Memorandum of Agreement between the MDEQ and the EPA regarding administration of a portion of the Section 404 program in Michigan.

The Corps thoroughly reviewed the MCRC's original permit application and supporting materials. We based our review primarily on the application materials posted to the MDEQ's website. We provided our findings to the EPA for its consideration, and EPA is responsible for providing the federal position to the MDEQ. Our role at this stage is to provide an evaluation of the permit application. EPA considers federal agency input and provides its own determination to the MDEQ. EPA may request subsequent input from the Corps if warranted.

If you have questions, please contact the Project Manager, Jean Battle, by E-Mail at Jean.M.Battle2@usace.army.mil, or by telephone at 906-228-2833. Please refer to File Number LRE-2010-00098-252-A12 in your communication on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Derosier".

Michael C. Derosier, P.E.
Lieutenant Colonel, U. S. Army
District Engineer

Copy Furnished

Peter Swenson (EPA, Region 5)
Melanie Haveman (EPA, Region 5)
Ginny Pennala (MDEQ, Gwinn),
Jeff King (King & MacGregor Environmental, Inc.),